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GOVERNMENT OF KERALA

Fisheries & Ports (D) Department

NOTIFICATION

G.O.(P) No.11/2024/Fand P.

Thiruvananthapuram, 12th August, 2024

28th Karkadakam, 1199

In pursuance of clause (3) of Article 348 of the Constitution of India the Governor is pleased to authorise the publication in the Gazette of the following translation in the English Language of the Kerala Maritime Board (Procedure for Committees and Meetings) Regulations, 2022.

By Order of the Governor,

K.S. SRINIVAS,
Principal Secretary.



[Translation in English of the “ 2022-ലെ കേരള മാരിടൈം ബോർഡ് (കമ്മിറ്റികളുടേയും യോഗങ്ങളുടേയും നടപടിക്രമം) റഗുലേഷനുകൾ ” published under the authority of the Governor]

GOVERNMENT OF KERALA
Fisheries and Ports (E) Department
NOTIFICATION

G.O. (P) No. 23/2022/F&PD.

Dated, Thiruvananthapuram, 6th June 2022

23rd Idavam, 1197.

S.R.O.No. 564/2022.- In Exercise of the powers conferred by section 110 of the Kerala Maritime Board Act, 2017 (Act 16 of 2017) the Government of Kerala hereby makes the following Regulations, namely:-

REGULATIONS

CHAPTER – 1

1. *Short title and commencement.*-(1) these Regulations may be called the Kerala Maritime Board (Procedure for Committees and Meetings) Regulations, 2022.

(2) It shall come into force at once.

2. *Definitions.*-(1) In these regulations, unless the context otherwise requires,-

(a) “*Act*” means the Kerala Maritime Board Act, 2017 (Act 16 of 2017);

(b) “*Presiding Officer of the meeting*” means the person who presides over a meeting of the Board or the Committee;

(c) “*Resolution*” means a proposal made for taking action from the part of the Board and it includes an amendment of resolution;

(d) “*Section*” means a section of the Act;

(e) “*Working days*” means the days excluding the day on which a notice was issued and the day of meeting.

(2) The words and expressions used but not defined in these regulations but defined in the Act shall have the same meaning respectively assigned to them in the Act.



CHAPTER – 2

3. *Meetings of the Board.*- The Board shall ordinarily meet once in four months in the headquarters of the Board or in the Regional Office:

Provided that the Board may convene an urgent or special meeting when any urgent situation for convening a meeting arises.

4. *Notice of Meeting.*- (1) The Chief Executive Officer shall, with the approval of Chairman, convene the meeting of the Board by fixing the date, time and place of the meeting of the Board.

(2) The Notice and the agenda of the meeting shall be sent to each member by registered post, or facsimile or e-mail or by special messenger seven working days before the convening of an ordinary meeting and the notice shall clearly specify the place, date and time of the meeting.

(3) No proceeding or resolution passed in the meeting shall be invalid by reasons that any member could not attend the meeting due to the non-receipt of notice of the meeting to such member.

5. *Urgent meeting or special meeting.*- (1) For Considering matters which are of urgent importance or of special matters, an urgent meeting may be convened by the Chairman or the Vice- chairman of the Board on the written application of not less than one-third of the members or on the direction of the Government. The notice of such meeting shall be given to the members by clearly specifying the purpose of the meeting and by fixing the date, time and place of the meeting.

(2) Notice of an urgent meeting shall be given to the members at least three days in advance.

(3) In Urgent meeting, the matters mentioned in the notice alone shall be discussed.

6. *Agenda of the Meeting.*- (1) The agenda shall be prepared by the Chief Executive officer in consultation with the Chairman or in the absence of the Chairman, with the prior approval of the Chairman. Sufficient copies of notes, Government Orders and other documents on each item in the agenda shall, if required, be included.



(2) Copy of the agenda shall be circulated to all members of the Board before one working day of the proposed date of meeting. However, it shall not be applicable in the case of urgent meeting.

(3) Notwithstanding anything contained in sub-clause (1), any matter which requires the decision of the Board and which is not included in the agenda for the meeting of the Board may, with the permission of the Presiding Officer of the meeting, be placed for the consideration of the Board at such meeting and such matter may be considered by the Board.

(4) Any member who intends to enquire about any matter connected with any of the items relating to the agenda of the meeting or any other matters relating to the Board, shall give sufficient notice to the Chief Executive Officer, for collecting such required information.

7. *Presiding Officer of the meeting.* - The Chairman shall preside over the meetings of the Board. But in the absence of the Chairman, the Vice-Chairman, or in cases where both are absent, one member elected from among the members present, shall preside over the meeting.

8. *Quorum.*-(1) The quorum for the meeting of the Board shall be one-third of the total number of members of the Board including the Chairman.

(2) In cases where there is no sufficient quorum for the Board meeting or when the quorum is not attained within half-an-hour of the time scheduled for the meeting, the Presiding Officer of the meeting may adjourn such meeting by fixing another convenient time and place.

9. *Order of business to be transacted in the meeting.*-(1) The order of items of agenda of a meeting of the Board shall be as follows, namely:-

i. Confirmation of the minutes of the previous meeting,

ii. Reports of actions taken on the decision at the previous meeting;



iii. Matters relating to urgent official business proposed by the Chairman or the Vice Chairman;

iv. Resolutions and any resolution relating to the change in agenda,

v. Statement of receipts and expenditures;

vi. Progress Report;

vii. Budget, plans, programmes, audit reports etc.;

viii. Matters which the Government or any officer authorised by the State Government in this behalf, may require to be considered by the Board;

ix. Other matters which may be brought to the meeting by the Presiding Officer of the meeting or by any other members with the permission of the Presiding Officer of the meeting.

(2) Though the matters to be transacted in the meeting shall be in the order in which it is stated in the agenda, the Presiding Officer of the meeting shall have the power to give precedence to any other matter for its transaction and the decision taken as such by the Presiding Officer of the meeting shall be final.

10. *Manner in which members should express their specific opinion in meeting.*- (1) The members who intend to express their specific opinion on any matter in the meeting shall express opinion in the order in which they were called upon by the Presiding Officer of the meeting.

(2) A member shall limit such opinion in accordance with the question before the meeting.

11. *Moving of Resolution.*- (1) A member intending to move a resolution, shall send a notice to the Chief Executive Officer together with a note clearly and precisely narrating the reasons of the resolution, at least seven days prior to the date proposed for the meeting and the Chief Executive Officer shall include the same in the agenda of the meeting:



Provided that even if no notice has been given for the resolution to be included in the agenda, the Presiding Officer of the meeting/Chairman may, in his discretion, permit such member to move such a resolution in the meeting, if it is required by a member to move a resolution and the same has been informed to the Presiding Officer of the meeting/Chairman in writing.

(2) Any resolution which requires urgent decision of the Board shall be circulated to the members and if majority of the members of the Board approve the same in writing, it shall deemed to have been taken in a meeting duly convened by the Board. Such decision shall be placed before the very next meeting of the Board for approval.

12. *Passing of resolution.* - (1) The Presiding Officer of the meetings, after having discussion on a resolution of a meeting of the Board, shall put the same to vote and the information as to whether the resolution has been unanimously passed or passed by the majority or rejected shall be recorded in the minutes of the meeting.

(2) When there is one or more amendments to a resolution, the Presiding Officer of the meeting shall put them to vote one by one.

(3) If amendment or amendments regarding any matter is incorporated in a resolution, it shall be put to vote together.

(4) Even if, a decision is taken on a matter based on majority of votes and if any member demands to record his dissent, the same shall be recorded with the permission of the Presiding Officer of the meeting.

(5) The Presiding Officer of the meeting shall put together the amendments which are substantially similar.



(6) When a resolution, which is finally included under sub-clause (2) and made with or without an amendment or amendments is passed in the meeting, it shall be deemed to be a decision of the Board.

13. *Voting.*- (1) The vote shall be casted by raising hands. However, if the majority of members present demands the voting through ballot, it shall be done in such manner

(2) Any member present at a meeting may refrain from casting vote if he so intends.

(3) On each matter put to vote, the number of the members who casted vote in favour and the number of members who casted vote against shall be recorded in the minutes.

(4) A resolution may also be passed with voice vote.

14. *Procedure for leaving the meeting before the end of the meeting .-* A member who intends to leave the meeting before the end of the meeting, shall, immediately before leaving, inform his intention to the Presiding Officer of the meeting and with his permission leave the meeting.

15. *Recording of attendance of the meeting.*- (1) The Chief Executive Officer shall maintain a separate attendance book for recording the attendance of members, special invitees and other officials attending the meeting and shall record the signatures of the concerned in the meeting.

(2) If the meeting is convened online, the Chief Executive Officer shall record the attendance of the members and other persons attending the meeting and shall obtain the authentication of the Chairman thereon.

(3) If any member is unable to attend the meeting due to unavoidable reason, leave application may be submitted to the Chairman or the Chief Executive Officer through appropriate means.



16. *Manner of preparation of minutes of the meetings.*- (1) The decisions taken at the meeting shall be recorded as draft minutes and shall be forwarded to each member for information and such minutes shall be submitted to the Chairman for approval.

(2) The Chief Executive Officer shall keep and maintain a minutes book containing the names of the members and officers present at a meeting and the minutes of such meeting shall be signed by the Presiding Officer of the meeting and it shall be authenticated by the Board. Each page of the minutes book shall be signed by the Presiding Officer of the meeting. A copy of the approved minutes shall be given to the Presiding Officer and to all other members and if there is any objection thereto, the members shall inform the same in writing to the Presiding Officer of the meeting.

(3) The minutes book shall be kept in the safe custody of the Chief Executive Officer. The same shall also be subjected to inspection, if required by any member of the Board or an authorized representative of the Government.

(4) Minutes of each meeting shall be prepared and circulated to the members concerned within forty eight hours of the conclusion of the meeting and the draft minutes shall be submitted for approval of the Presiding Officer of the meeting/Chairman within a maximum period of four days.

17. *Confirmation of minutes of previous meeting.*- The minutes of the proceedings of the previous meeting shall deemed to have been read, if the majority of the members present had not requested to read the minutes of the proceedings of the previous meeting at the time of convening of the meeting of the Board

18. *Corrections of errors in the minutes.*- If any member present has informed the Presiding Officer of the meeting that any portion of the minutes of the proceedings of the previous meetings is wrongly recorded, he may, before confirming the minutes of the previous meeting effect amendments therein, if he deems fit.



CHAPTER-3

19. *Convening of Meetings of Committees and Procedures.*- (1) In Committees constituted as per section 6, there shall be one member appointed by the Board as Chairman and one member as Convener;

(2) The notice of an ordinary meeting of the Committee shall be given to the members before three working days and notice of special meeting shall be given before one day.

(3) The procedures for meetings of the Board shall *mutatis mutandis* apply to the meetings of committees.

(4) Minutes of each meeting of the Committee shall be kept and maintained by the Chief Executive Officer.

(5) All members of the Committee shall affix their signatures on the minutes.

(6) The proceedings of each meeting of the Committee shall be placed before the Board at the very next meeting of the Board and if the Board deems fit, shall submit the same before the Government.

(7) The meetings of the Committee shall ordinarily be held at the headquarters of the Board, unless the members of the Committee unanimously decide to meet elsewhere. The Committee may convene meeting at such date, time and place as the Committee members may unanimously decide.

By order of the Governor,

TINKU BISWAL

Principal Secretary to Government.



Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport)

In exercise of the powers conferred under section 110 of the Kerala Maritime Board Act, 2017 (Act 16 of 2017), the Government shall make regulations regarding the matters enumerated in section 107 of the said Act. Government have examined the matter in detail and decided to make first regulations for the purposes of clause (a) of section 107 of the said Act.

The notification is intended to achieve the above object.

